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Nos. 80-848; 80-888

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1980

HARTZELL PROPELLER, INC.,
a Corporation, and
PIPER AIRCRAFT COMPANY,
a Corporation,

Petitioners,

vs.

GAYNELL REYNO, as Personal
Representative of the Estates
of William Fehilly, Liam Stewart
Fehilly, William James McDougall
Storm, David Vincent Moran and
Peter Cunningham Scott,

Respondent.

OPPOSITION TO MOTION OF THE BOEING COMPANY, LOCKHEED CORPORATION, AND McDONNELL DOUGLAS CORPORATION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE

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Respondent, Gaynell Reyno, respectfully submits the following opposition to the Motion of the Boeing Company,

Lockheed Corporation, and McDonnell Douglas Corporation for Leave to File their Brief of Amici Curiae.

1. These three very large manufacturers of aviation equipment represent a considerable corner of the international aircraft market. Their products are intentionally and knowingly distributed on a world wide basis and marketed and used on the same basis. It is inherently unfair that these manufacturers should shield themselves from liability, through the doctrine of forum non conveniens, for their intentional acts of placing products which may result in serious injury or death on the international market.

The fact that an American manufacturer's wrongdoing results in severe damage to a foreign citizen on foreign

soil should in no way be utilized by such a defendant to diminish its responsibility for redress.

These three manufacturers, in filing Amici Curiae briefs, would apparently argue that more safeguards should properly accrue to a wrongdoing defendant than to an injured plaintiff who would be subject to a severe change in applicable law if dismissed from the forum in which it originally chose to file suit.

2. The parties now seeking leave of the Court have failed to demonstrate that their interests cannot be adequately protected by the Petitioners herein. Piper and Hartzell, both of whom are international suppliers of aircraft and their components, are fully aware of all the ramifications of the issue

herein. Therefore, to allow three additional parties to present identical issues to this Court as are already being presented by the parties herein, would result in repetition, cumulation and a burden to both the Court and the parties properly before it.

3. These parties have stated that their argument would be dispositive of this matter. However, such a conclusion is set forth baldly and completely void of support. In response to their statement, the question must be asked: How many aircraft manufacturers must the Court listen to in order to hear the identical argument? Respondent respectfully submits that the Court can rightfully anticipate that the briefs forthcoming from the Petitioners and Respondent herein will set forth

the issues extant and all arguments relevant thereto. There is no need to hear further argument from these three parties.

Respectfully submitted this 14th day of May, 1981.

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